

HANOVER PLANNING BOARD



MARCH 26TH, 2007
MINUTES OF MEETING

At 6:45 P.M., the Chairman Peter Moll called to order the March 26, 2007 meeting of the Hanover Planning Board. Board members Peter Moll, Rich DeLuca, Maryann Brugnoli, Steve Rusko and Gary Hendershot were present. Associate members Anthony Losordo and Bernie Campbell were also present. Town Planner, Andrew Port was present. The Board reviewed the minutes of the March 12, 2007 meeting. Maryann motioned to accept the minutes as amended. Rich seconded the motion and it was so voted unanimously.

PUBLIC HEARINGS

Linwood Terrace Extension- PB07-19C

The Chairman opened the hearing at 7:35 p.m. Gary Hendershot read the public hearing notice into record. He also read a memo from Capt. Stone of the Fire Dept. Rick Grady of Grady Consulting, the engineer for the applicant went over the plans. He explained that they would like to use some Low Impact Development techniques on the project including a rain garden and a bio-retention swale to minimize runoff. They are requesting a waiver from sidewalks on both sides. Dave Nyman from ENSR, review engineer for the Town went over his comments. He would like to use LID on the entire project. The Town Planner Andy port went over his comments He explained that the Capt. Stone has spoken to him about her concern with the turn on the driveway to lot 3. The Board was in favor of exploring the use of LID techniques in this project because it is small and may be a good test case. Gary recommended the use of cape cod berm on the cul-de-sac. Lorraine Moriarty of 13 Linwood Terrace, an abutter, asked a few questions about the slope and drainage. Jeanne Connolly of 163 Pine Tree Drive, an abutter is concerned with the runoff from the site. She told the Board that the property behind her is very wet and she wondered how they would assure that no more water was deposited on her property. Dave Nyman explained that they looked very closely at the drainage calculations and they would make sure any runoff stayed on the site. The Board asked if there was a possibility to have the driveway for Lot 3 come in off of Pine Tree Drive to prevent the odd configuration that was shown on the plan. Andy explained that under current zoning it was not allowed to have a driveway that didn't come off the frontage but that the applicant may apply for a variance from the ZBA. The Board has asked for some revisions. Rich made a motion to continue the hearing until May 21, 2007 at 7:00 p.m. Steve seconded the motion and it was so voted unanimously.

1972-1978 Washington Street – PB07-13SP- Possible Starbucks

The Chairman opened the continued public hearing at 8:20 p.m. Attorney Bob Marzelli, the applicant's attorney told the Board that they had secured a variance from Section 4.230 of the Zoning Bylaw from the ZBA. He introduced Doug Heald of Merrill Associates, the engineer for the applicant. Mr. Heald went over the changes that had been made and explained that the comments from Dave Nyman had been addressed in the revised plans. At this time Gary Hendershot read a memo from Capt. Stone of the Fire Dept. dated 3/23/07, a memo from Jeannemarie Joyce-Kent, the Board of Health Agent dated 3/13/07, and Victor Diniak, DPW Director dated 3/08/07 into record. The Board of Health agent has approved the septic plan but asked for a change in the dumpster site to prevent pests too near the food establishment. The Town Planner will discuss any outstanding issues with the Health agent. Doug Heald explained that they have not developed an architectural plan yet. The Board told Mr. Heald that receiving the architectural plan would be a condition of the decision. Mike Abend, traffic engineer for the applicant went over his traffic study. Selectman Al Rugman spoke about the widening and traffic

light project on route 53 that pertained to this area. He asked if the applicant had spoken to the engineers at VHB who are working on the Rte 53 widening. Gary expressed concern about the traffic issues that could come up and he is not in favor of the two buildings on one lot. Maryann motioned to close the hearing and approve the project with special conditions. Gary seconded the motion and it was so voted 4-1. Gary voted not in favor.

Village Park – PB07-16SP & Village Commons- PB07-15SP

The Chairman opened the continued hearing at 9:00 p.m. Gary read a letter from the Selectmen dated 3/20/07 and a letter from Capt. Barbara Stone of the Fire Dept. into record. Selectman Al Rugman was present and discussed the letter from the Selectmen. He explained that the Selectmen feel that the \$180,000 dollars that has been discussed as mitigation for the project may not be enough to cover the impact of this development. Jim O'Brien, the applicant told the Board that he has spent a lot of time with Mass Highway and with District 5 discussing the widening of Route 53 and what impact his development may have on Rte 53. He wants to see Rte 53 improved but that he doesn't want to have a condition on his permit requiring him to improve more than he feels is fair. Peter Moll explained that there would need to be some language in place to ensure the impacts of the development on Rte 53 are mitigated. Mr. O'Brien is concerned with what might happen if the Massachusetts Transportation Bond Bill doesn't include enough money to complete the widening project on Rte 53. Al Rugman told the Board that he is confident the Rte 53 Bond Bill will go ahead as planned and that the job will be completed. Mr. O'Brien suggested that the condition be that if the widening of Rte 53 doesn't happen he will put in a traffic light at the entrance to the Village Park. The Board discussed the letter from MEPA that outlines the use of the \$180,000. The money is to be used by the Town to study the traffic needs of the section of Rte 53 south of the Village Park and that Mr. O'Brien would be responsible for continuing the widening from the intersection at Old Washington St and Pond Street where the Mass Highway project ends to the entrance of the Village Park. The Board agreed that if the Mass Highway contract for widening of Rte 53 is not awarded within one year from the date of the pre-construction meeting for Village Park then Mr. O'Brien would install a traffic light at the entrance of Village Park. If the contract is awarded and the widening goes through then Mr. O'Brien will be responsible to continue the widening of Rte 53 per the MEPA Certificate and Final Environmental Impact Report. The \$180,000 will not be used for either of these improvements. Maryann made a motion to close the hearing. Gary seconded the motion. The Board will review the decisions further and vote on those at their next meeting. The motion to close was so voted unanimously.

APPOINTMENTS

The Board met with Marty Barnes, owner of 101 Industrial Way. They went over a revised landscaping plan for the property. Mr. Barnes had requested a minor site plan modification to the landscape plan that was approved by the Board. Maryann and the Town Planer had gone out to the site earlier in the year and reported back to the Board that they felt that the modification was appropriate. Maryann then made a motion to adopt a minor modification to the Site Plan for 101 Industrial Way per plans dated March 26, 2007. Steve seconded the motion and it was so voted unanimously.

The Board met with Selectmen Al Rugman, Daniel Pallota, and Town Administrator Steve Rollins to discuss the Article for Town Meeting concerning the "Department of Municipal Inspections". This Article, submitted by the Board of Selectmen, would create a Consolidated Department of Municipal Inspections, to combine and coordinate the day-to-day administrative and inspection functions of the Planning Board, Board of Health, Building Department, and Conservation Commission. Al indicated that the creation of this new position was a simple process that would unburden the affected departments. It would not usurp the responsibility or decision making authority of the involved Boards. It would make the Boards' loads easier by taking them out of the day to day mechanisms of their departments. Al discussed the change that had recently taken place in the Board of Health Department. The day to day personnel issues are now being directed by Steve Rollins. He indicated that there would

be no change in what the Board does as far as policies, just personnel issues would no longer be taken care of by the Boards. Steve Rollins, Town Administrator told the Board that they needed the Planning Board to support the change in order to make it work. The Selectmen indicated that the authority would be with Steve Rollins. Maryann expressed her concern that this could put the Town Planner in a difficult position and may cause conflicts if there were issues that the new Director wanted the Town Planner to address that were in opposition to what the Planning Board wanted. She suggested taking the Planning Department out of the equation and see how it works for a year with the other departments. Al responded that this new position would not be able to dictate what the Town Planner did. The Board asked if these personnel problems might be better handled by initiating some concrete policies instead. Dan Palotta explained to the Board that they were dealing with employees and their careers. That the Boards were in the positions as volunteers and there was no longevity with Board member and that this new department would get everyone on "the same page". He then explained that according to State Statute the Municipal Inspections Department would need to be created to dictate personnel policies. He also told the Board that there have been policies in place in the past and they have been ignored by some employees and Boards. Al Rugman told the Board that comp time was an issue throughout the different departments and this would give some consistency as to how comp time was allowed and used. Maryann asked Steve Rollins what the Board's responsibility was to him and what his responsibility would be to the Board. Steve said he felt he would have little interaction with the Board but that this would create more cooperation between the departments. He said that he needed the Town Planner and felt that there would be more interaction between he and the Town Planner to coordinate efforts. The Board discussed the issue further but came to no decision as to whether or not to support the article. The Board will take it up at their next meeting.

SIGNING OF LOT RELEASES, FORM A'S, DECISIONS, AND BILLS

The Board reviewed a Form A plan for 246 Hanover Street. This plan is part of a Retreat Lot that was approved at an earlier date. Rich made a motion to endorse the ANR PB07-26A for 246 Hanover Street. Steve seconded the motion and it was so voted unanimously.

The Board reviewed a request for a lot release at 629 Honeysuckle Lane. Gary made a motion to approve the lot release. Rich seconded the motion and it was so voted unanimously.

The Board endorsed several invoices from ENSR and assorted bills.

OTHER BUSINESS

The Board discussed the Master Plan Youth Art Contest and agreed to review the submissions at their meeting on April 23, 2007.

Maryann motioned to adjourn at 10:00 p.m. Gary seconded the motion and it was so voted unanimously.
Meeting was adjourned at 10:00 p.m.

Respectfully Submitted,
Margaret Hoffman
PLANNING BOARD SECRETARY